

U.S. Bankruptcy Appellate Panel
of the Ninth Circuit
125 South Grand Avenue, Pasadena, California 91105
Appeals from Central California (626) 229-7220
Appeals from all other Districts (626) 229-7225

1062 WHA

FEB 22 AM 9:37

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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422
BAP

In Re: HUGO N. BONILLA

BAP No.: NC-08-1012

Bankruptcy No(s) : 07-30309 TC

Adversary No(s) : 07-03079 TC

CV 08

1062

NOTICE OF TRANSFER OF APPEAL TO DISTRICT COURT

WHA

A party to the appeal has timely filed an objection to the disposition of this matter by the Bankruptcy Appellate Panel. See 28 USC Section 158. Consequently, this appeal is herewith transferred to United States District Court, San Francisco, CA. Please acknowledge receipt of the case file listed above by signing and returning a copy of this transmittal form.

Harold S. Marenus, BAP Clerk

By: Freddie Brown
Deputy Clerk

Date: January 25, 2008

Please acknowledge receipt of
the case file listed above.

Dated: _____

Signed: _____
District Court Deputy

Assigned District Court No.

cc: Bankruptcy Court
All Parties

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OFFICE OF THE CLERK

235 Pine Street
San Francisco, CA 94104

Mailing Address:
P.O. Box 7341
San Francisco, CA 94120-7341

FILED

JAN 11 2008

UNITED STATES BANKRUPTCY COURT
SAN FRANCISCO, CA
RECEIVED
Harold S. Marous, Clerk
U. S. BKCY. APP. PANEL
OF THE NINTH CIRCUIT

JAN 14 2008

TRANSMITTAL FORM

BAPT: NC-08-1012

FILED _____
DOCKETED 1/14/08 FwB
DATE INITIAL

TO: Bankruptcy Appellate Panel of the Ninth Circuit, 125 S. Grand Avenue, Pasadena, CA, 91105

CV 08

1062

WHA

CASE NAME: Hugo Nery Bonilla

BANKRUPTCY NO.: 07-30309 TC

ADVERSARY PROCEEDING: ATR-Kim Eng Capital Partners, Inc. et al v. Bonilla

ADVERSARY NO.: 07-3079 TC

BANKRUPTCY JUDGE: Thomas E. Carlson

DATE NOTICE OF APPEAL FILED: 1/9/08

DATE OF ENTRY OF ISSUE: 1/2/08

DATE BANKRUPTCY FILED: 3/16/07

NOTICE OF OBJECTION FILED:

DATE OF TRANSMITTAL: 1/11/08

PLEASE STAMP YOUR CASE NUMBER on a copy of this transmittal form and return the copy to the bankruptcy court.

ANNA CHO-WONG

Deputy Clerk Anna Cho-Wong

MACDONALD & ASSOCIATES
IAIN A. MACDONALD (State Bar No. 051073)
HEATHER A. CUTLER (State Bar No. 217837)
221 Sansome Street
San Francisco, CA 94104
Telephone: (415) 362-0449
Facsimile: (415) 394-5544

Attorneys for Defendant,
HUGO NERY BONILLA

RECEIVED
Harold S. Marquis, Clerk
U. S. BKCY APP. PANEL
OF THE NINTH CIRCUIT

JAN 14 2008

FILED
DOCKETED 1/14/08 FWC
DATE INITIAL

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

CV 08 1062

Case: NC-08-1012

In Re:

HUGO NERY BONILLA,

Debtor.

Case No. 07-30309

Chapter 7

Adversary Proceeding No. 07-03079

ATR-KIM ENG FINANCIAL
CORPORATION and ATR-KIM ENG
CAPITAL PARTNERS, INC.,

Plaintiffs,

vs.

HUGO NERY BONILLA,

Defendant.

NOTICE OF APPEAL OF PARTIAL
SUMMARY JUDGMENT ON FOURTH
CAUSE OF ACTION AND OF ORDER
DENYING DEFENDANT'S MOTION
FOR RECONSIDERATION AND
GRANTING PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT ON
FOURTH CAUSE OF ACTION

WHA

Hugo Nery Bonilla, the defendant and appellant herein, appeals, pursuant to 28 U.S.C. § 158(d), to the United States Court of Appeal for the Ninth Circuit from the decision of the United States Bankruptcy Court for the Northern District of California, entered on January 2, 2008, denying the defendant's motion for reconsideration and granting plaintiffs' motion for summary judgment on their fourth claim for relief in this adversary proceeding.

1 The parties to the order appealed from and the names and addresses of their respective
2 attorneys are as follows:

3
4 Counsel for Defendant, Hugo Nery Bonilla:

5 Macdonald & Associates (415) 362-0449
6 Iain A. Macdonald, Esq.
7 Heather A. Cutler, Esq.
221 Sansome Street
San Francisco, CA 94104

8
9 Counsel for Plaintiffs ATR-KIM Eng Financial Corporation
and ATR-KIM Eng Capital Partners, Inc:

10 William J. Lafferty, Esq. (415) 434-1600
11 Howard Rice Nemerovski Canady Falk & Rabkin
12 Three Embarcadero Center, 7th Floor
San Francisco, CA 94111

13 DATED: January 9, 2008

MACDONALD & ASSOCIATES

14
15 By: /s/
16 Iain A. Macdonald, Attorneys for Defendant,
Hugo Nery Bonilla
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Entered on Docket
January 02, 2008
GLORIA L. FRANKLIN, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA



Signed and Filed: January 02, 2008

A handwritten signature of Thomas E. Carlson in black ink, written over a horizontal line.

THOMAS E. CARLSON
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re)	Case No. 07-30309 TEC
HUGO NERY BONILLA,)	Chapter 7
)	
Debtor.)	
)	
ATR-KIM ENG CAPITAL PARTNERS, INC.,)	Adv. Proc. No. 07-3079 TC
and ATR-KIM ENG FINANCIAL)	
CORPORATION,)	
)	
Plaintiffs,)	
)	
vs.)	Date: January 18, 2008
)	Time: 9:30 a.m.
)	Crtm: 235 Pine St., 23rd Fl.
HUGO NERY BONILLA,)	San Francisco, CA
)	
Defendant.)	

ORDER DENYING DEFENDANT'S MOTION FOR RECONSIDERATION AND GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT ON FOURTH CAUSE OF ACTION

The court held a hearing on December 14, 2007 on Defendant's Motion to Reconsider Order Denying Defendant's Motion to Dismiss Plaintiff's Fourth Cause of Action and on Plaintiffs' Motion for Summary Judgment on Fourth Cause of Action. William J. Lafferty appeared for Plaintiffs. Iain A. Macdonald appeared for Defendant.

ORDER DENYING DEF.'S MTN FOR RECONSID.
AND GRANTING PLAINTIFFS' MTN. FOR
PARTIAL SUMM. JUDG.

-1-

1 Upon due consideration, and for reasons stated on the record
2 at the hearing and in the accompanying memorandum, the court hereby
3 orders as follows.

4 (1) Defendant's motion for reconsideration is denied.

5 (2) The court grants Plaintiffs' motion for summary judgment
6 on the fourth claim for relief and determines that the
7 \$24,981,069.66 judgment entered on January 10, 2007 in Delaware
8 Court of Chancery Case No. CIV.A. 489 is excepted from discharge
9 under 11 U.S.C. § 523(a)(4).

10 (3) The court will enter a separate partial judgment on the
11 fourth claim for relief, and will direct entry of final judgment as
12 to this claim.

13 (4) Upon stipulation of the parties on the record at the
14 hearing, the court establishes the following schedule regarding
15 Defendant's Motion for Stay Pending Appeal of the Partial Judgment:

16 (a) Defendant shall file and serve a Motion for Stay on or
17 before January 4, 2008.

18 (b) Plaintiffs shall file and serve a response to the Motion
19 on or before January 14, 2008.

20 (c) A hearing on the motion for stay pending appeal is set for
21 January 18, 2008 at 9:30 a.m.

22 ****END OF ORDER****

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ORDER DENYING DEF.'S MTN FOR RECONSID.
AND GRANTING PLAINTIFFS' MTN. FOR
PARTIAL SUMM. JUDG.

-2-

Court Service List

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Iain A. Macdonald, Esq.
Law Offices of Macdonald & Associates
Two Embarcadero Center, Suite 1670
San Francisco, CA 94111-3930

Michael C. Fallon, Esq.
Law Offices of Michael C. Fallon
100 E Street, Suite 219
Santa Rosa, CA 95404

Michael J. Baker, Esq.
William J. Lafferty, Esq.
Matthew L. Beltramo, Esq.
Howard, Rice, Nemerovski, Canady,
Falk & Rabkin
Three Embarcadero Center, 7th Floor
San Francisco, CA 94111

727OBJ, APPEAL

**U.S. Bankruptcy Court
Northern District of California (San Francisco)
Adversary Proceeding #: 07-03079
Internal Use Only**



Assigned to: Judge Thomas E. Carlson
Related BK Case: 07-30309
Related BK Title: Hugo Nery Bonilla
Related BK Chapter: 7
Demand:

Date Filed: 07/23/07

CV 08**1062**

Nature[s] of Suit: 41 Objection / revocation of discharge - 727(c),(d),(e)
67 Dischargeability - 523(a)(4), fraud as fiduciary,
embezzlement, larceny

**UNITED STATES BANKRUPTCY COURT
Northern District of California**
**I certify that this is a true, correct and full copy
of the original document on file in my custody.**
Dated 11/11/08
by William J. Lafferty
Deputy Clerk

Plaintiff

ATR-Kim Eng Capital Partners, Inc.
c/o William J. Lafferty
Howard Rice et al.
Three Embarcadero Center, Suite 700
San Francisco, CA 94111
(415)434-1600

represented by **William J. Lafferty**
Howard, Rice, Nemerovski, Canady et al
3 Embarcadero Center 7th Fl.
San Francisco, CA 94111-4065
(415) 434-1600
Email: wlafferty@howardrice.com
LEAD ATTORNEY

ATR-Kim Eng Financial Corporation
c/o William J. Lafferty
Howard Rice et al.
Three Embarcadero Center, Suite 700
San Francisco, CA 94111
(415)434-1600

represented by

William J. Lafferty
(See above for address)
LEAD ATTORNEY

V.

Defendant

Hugo Nery Bonilla
362 East Grand Avenue
South San Francisco, CA 94080
SSN: 553-25-2718

represented by **Heather A. Cutler**
Macdonald and Associates
221 Sansome St.
San Francisco, CA 94104
(415) 362-0449
Email: heather@macdonaldlawsf.com
Iain A. Macdonald
Macdonald and Associates
221 Sansome St.
San Francisco, CA 94104
(415) 362-0449
Email: mac@macdonaldlawsf.com
LEAD ATTORNEY

Filing Date

#

Docket Text

07/23/2007

1

Adversary case 07-03079. 41 (Objection / revocation of discharge - 727(c),(d),(e)), 67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny) Complaint by

ATR-Kim Eng Capital Partners, Inc. , ATR-Kim Eng Financial Corporation against Hugo Nery Bonilla. Fee Amount \$250. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D) (Lafferty, William) (Entered: 07/23/2007)

07/23/2007	<u>2</u>	Summons to be Issued on Hugo Nery Bonilla <i>as filed by Plaintiffs ATR-Kim Eng Financial Corporation and ATR-Kim Eng Capital Partners, Inc.</i> (RE: related document(s) <u>1</u> Complaint, filed by Plaintiff ATR-Kim Eng Financial Corporation, Plaintiff ATR-Kim Eng Capital Partners, Inc.). (Lafferty, William) (Entered: 07/23/2007)
07/23/2007	<u>3</u>	Adversary Cover Sheet <i>as filed by Plaintiffs ATR-Kim Eng Financial Corporation and ATR-Kim Eng Capital Partners, Inc.</i> (RE: related document(s) <u>1</u> Complaint, filed by Plaintiff ATR-Kim Eng Financial Corporation, Plaintiff ATR-Kim Eng Capital Partners, Inc.). (Lafferty, William) (Entered: 07/23/2007)
07/23/2007		Receipt of filing fee for Complaint(07-03079) [cmp,cmp] (250.00). Receipt number 4462030, amount \$ 250.00 (U.S. Treasury) (Entered: 07/23/2007)
07/24/2007	<u>4</u>	Summons Issued on Hugo Nery Bonilla Answer Due 8/23/2007. Status Conference to be held on 9/7/2007 at 11:00 AM at San Francisco Courtroom 23 - Carlson. (ac,) (Entered: 07/24/2007)
07/24/2007	<u>5</u>	Order Regarding Initial Disclosures and Discovery Conference . (ac,) (Entered: 07/24/2007)
07/25/2007	<u>6</u>	Summons Service Executed on Hugo Nery Bonilla 7/24/2007 . (Lafferty, William) (Entered: 07/25/2007)
07/25/2007	<u>7</u>	Certificate of Service <i>for Complaint and Related Papers</i> (RE: related document(s) <u>6</u> Summons Service Executed, <u>1</u> Complaint,, <u>2</u> Summons to be Issued,, <u>3</u> Adversary Cover Sheet,). Filed by Plaintiffs ATR-Kim Eng Capital Partners, Inc., ATR-Kim Eng Financial Corporation (Lafferty, William) (Entered: 07/25/2007)
08/31/2007	<u>8</u>	Motion to Dismiss Adversary Proceeding Filed by Defendant Hugo Nery Bonilla. (Attachments: # <u>1</u> Memorandum of Points and Authorities # <u>2</u> Certificate of Service) (Cutler, Heather) (Entered: 08/31/2007)
08/31/2007	<u>9</u>	Notice of Hearing of Defendant's Motion To Dismiss Complaint (RE: related document(s) <u>8</u> Motion to Dismiss Adversary Proceeding filed by Defendant Hugo Nery Bonilla). Hearing scheduled for 9/28/2007 at 09:30 AM at San Francisco Courtroom 23 - Carlson. Filed by Defendant Hugo Nery Bonilla. (Cutler, Heather) (Entered: 08/31/2007)
09/14/2007	<u>10</u>	Brief/Memorandum in Opposition to Defendant's Motion to Dismiss Fourth Cause of Action Pursuant to Federal Rule of Civil Procedure 12(b)(6) (RE: related document(s) <u>8</u> Motion to Dismiss Adversary Proceeding). Filed by Plaintiffs ATR-Kim Eng Capital Partners, Inc., ATR-Kim Eng Financial Corporation (Attachments: # <u>1</u> Certificate of Service) (Lafferty, William) (Entered: 09/14/2007)
09/21/2007	<u>11</u>	Reply to Opposition to Motion to Dismiss (RE: related document(s) <u>8</u> Motion to Dismiss Adversary Proceeding). Filed by Defendant Hugo Nery Bonilla (Macdonald, Iain) (Entered: 09/21/2007)
09/26/2007	<u>12</u>	Document: Initial Disclosures (FRCP 26(a)(1) & FRBP 7026).. Filed by Defendant Hugo Nery Bonilla (Attachments: # <u>1</u> Certificate of Service) (Cutler, Heather) (Entered: 09/26/2007)
09/27/2007	<u>13</u>	Tentative Ruling Re Motion to dismiss section 523(A)(4) claim (RE: related document(s) <u>8</u> Motion to Dismiss Adversary Proceeding filed by Defendant Hugo Nery Bonilla). (ac,) (Entered: 09/28/2007)
09/28/2007	<u>14</u>	Courtroom Hearing Held (RE: Motion to Dismiss Adversary Proceeding - related document(s) <u>8</u>) (Matter is submitted.)(gh,) (Entered: 09/28/2007)

09/30/2007	14	BNC Certificate of Mailing - Electronic Order (RE: related document(s)13 Order). Service Date 09/30/2007. (Admin.) (Entered: 09/30/2007)
10/16/2007	15	Memorandum Re: Defendant's Rule 12(b)(6) Motion (RE: related document(s)8 Motion to Dismiss Adversary Proceeding filed by Defendant Hugo Nery Bonilla). (dc,) (Entered: 10/16/2007)
10/16/2007	16	Order Denying Defendant's Motion to Dismiss Plaintiff's Fourth Claim for Relief (Related Doc # 8) (dc,) (Entered: 10/16/2007)
10/17/2007	17	Order To Continue Hearing (RE: related document(s)1 Complaint filed by Plaintiff ATR-Kim Eng Financial Corporation, Plaintiff ATR-Kim Eng Capital Partners, Inc., 4 Summons Issued. Status Conference to be held on 11/16/2007 at 9:30 AM San Francisco Courtroom 23 - Carlson for 4, (dc,) (Entered: 10/18/2007)
10/18/2007	18	BNC Certificate of Mailing - Electronic Order (RE: related document(s)15 Memorandum Decision). Service Date 10/18/2007. (Admin.) (Entered: 10/18/2007)
10/18/2007	19	BNC Certificate of Mailing - Electronic Order (RE: related document(s)16 Order on Motion to Dismiss Adversary Proceeding). Service Date 10/18/2007. (Admin.) (Entered: 10/18/2007)
10/20/2007	20	BNC Certificate of Mailing - Electronic Order (RE: related document(s)17 Order to Continued Hearing,). Service Date 10/20/2007. (Admin.) (Entered: 10/20/2007)
10/26/2007	21	Motion to Reconsider <i>Order Denying Defendant's Motion to Dismiss Plaintiff's Fourth Claim For Relief</i> Filed by Defendant Hugo Nery Bonilla (RE: related document(s)16 Order on Motion to Dismiss Adversary Proceeding). (Cutler, Heather) (Entered: 10/26/2007)
10/26/2007	22	Notice of Hearing (RE: related document(s)21 Motion to Reconsider, filed by Defendant Hugo Nery Bonilla). Hearing scheduled for 12/14/2007 at 09:30 AM at San Francisco Courtroom 23 - Carlson. Filed by Defendant Hugo Nery Bonilla. (Attachments: # 1 Certificate of Service) (Cutler, Heather) (Entered: 10/26/2007)
11/14/2007	23	Notice of Continued Hearing (RE: related document(s)17 Order to Continued Hearing,). Filed by Defendant Hugo Nery Bonilla. (Attachments: # 1 Certificate of Service) (Cutler, Heather) (Entered: 11/14/2007)
11/16/2007	24	Motion for Summary Judgment <i>on the Fourth Claim for Relief</i> Filed by Plaintiffs ATR-Kim Eng Capital Partners, Inc., ATR-Kim Eng Financial Corporation. (Attachments: # 1 Certificate of Service) (Lafferty, William) (Entered: 11/16/2007)
11/16/2007	25	Request To Take Judicial Notice <i>In Support of Plaintiffs' Motion for Summary Judgment on the Fourth Claim for Relief</i> (RE: related document(s)24 Motion for Summary Judgment/Adjudication). Filed by Plaintiffs ATR-Kim Eng Capital Partners, Inc., ATR-Kim Eng Financial Corporation (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4) (Lafferty, William) (Entered: 11/16/2007)
11/16/2007	26	Declaration of Long X. Do in Support of <i>Plaintiffs' Motion for Summary Judgment on the Fourth Claim for Relief</i> (RE: related document(s)24 Motion for Summary Judgment/Adjudication). Filed by Plaintiffs ATR-Kim Eng Capital Partners, Inc., ATR-Kim Eng Financial Corporation (Attachments: # 1 Exhibit A) (Lafferty, William) (Entered: 11/16/2007)
11/16/2007		Courtroom Hearing Continued (RE: Summons Issued - related document(s) 4) (Continued to 12/14/2007 09:30 AM at San Francisco Courtroom 23 - Carlson) (ba,) (Entered: 11/16/2007)
11/30/2007	27	Brief/Memorandum in Opposition to : <i>Plaintiffs' Opposition to the Defendant's Motion to Reconsider Order Denying Defendant's Motion to Dismiss Plaintiff's Fourth Claim for Relief</i> (RE: related document(s)21 Motion to Reconsider,). Filed by Plaintiffs ATR-Kim Eng Capital

Partners, Inc., ATR-Kim Eng Financial Corporation (Attachments: # 1 Certificate of Service)
(Lafferty, William) (Entered: 11/30/2007)

11/30/2007	<p>● <u>28</u> Brief/Memorandum in Opposition to (RE: related document(s) <u>24</u> Motion for Summary Judgment/Adjudication). Filed by Defendant Hugo Nery Bonilla (Attachments: # <u>1</u> Request For Judicial Notice# <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C# <u>5</u> Exhibit D# <u>6</u> Exhibit E and F# <u>7</u> Exhibit G# <u>8</u> Certificate of Service) (Cutler, Heather) (Entered: 11/30/2007)</p>
12/07/2007	<p>● <u>29</u> Reply to : <i>Plaintiffs' Reply in Support of Motion for Summary Judgment on the Fourth Claim for Relief</i> (RE: related document(s) <u>24</u> Motion for Summary Judgment/Adjudication). Filed by Plaintiffs ATR-Kim Eng Capital Partners, Inc., ATR-Kim Eng Financial Corporation (Attachments: # <u>1</u> Certificate of Service) (Lafferty, William) (Entered: 12/07/2007)</p>
12/07/2007	<p>● <u>30</u> Reply to <i>Plaintiffs' Opposition to Defendant's Motion to Reconsider</i> (RE: related document(s) <u>21</u> Motion to Reconsider,). Filed by Defendant Hugo Nery Bonilla (Attachments: # <u>1</u> Certificate of Service) (Cutler, Heather) (Entered: 12/07/2007)</p>
12/14/2007	<p>● Courtroom Hearing Held (RE: Motion to Reconsider - related document(s) <u>21</u>) (Motion to reconsider is denied. Motion for summary judgement is granted. Motion for stay can be set for 1/8/08 at 9:30 AM.)(gh,) (Entered: 12/14/2007)</p>
12/17/2007	<p>● <u>31</u> Memorandum re defendant's motion for reconsideration and plaintiff's motion for summary judgment (RE: related document(s) <u>21</u> Motion to Reconsider filed by Defendant Hugo Nery Bonilla). (ac,) (Entered: 12/20/2007)</p>
12/22/2007	<p>● <u>32</u> BNC Certificate of Mailing - Electronic Order (RE: related document(s) <u>31</u> Memorandum Decision). Service Date 12/22/2007. (Admin.) (Entered: 12/22/2007)</p>
01/02/2008	<p>● <u>33</u> Order Denying defendant's Motion for Reconsideration and granting plaintiffs' motion for summary judgment on fourth cause of action. (Related Doc # <u>21</u>) (ac,) (Entered: 01/02/2008)</p>
01/02/2008	<p>● <u>34</u> Partial Summary Judgment on fourth cause of action and rule 54(b) certification For plaintiff's ATR-Kim, Capital Partners, Inc. and ATR-Kim Eng Financial Corporation Against defendant Hugo Nery Bonilla. . (ac,) (Entered: 01/02/2008)</p>
01/02/2008	<p>● Hearing Set On (RE: related document(s) <u>33</u> Order Denying defendant's Motion for Reconsideration and granting plaintiffs' motion for summary judgment on fourth cause of action. (Related Doc # <u>21</u>) (ac,)). A hearing on the motion for stay pending appeal is scheduled for 1/18/2008 at 09:30 AM at San Francisco Courtroom 23 - Carlson. (ac,) (Entered: 01/02/2008)</p>
01/04/2008	<p>● <u>35</u> BNC Certificate of Mailing - Electronic Order (RE: related document(s) <u>33</u> Order on Motion to Reconsider). Service Date 01/04/2008. (Admin.) (Entered: 01/04/2008)</p>
01/04/2008	<p>● <u>36</u> BNC Certificate of Mailing - Electronic Order (RE: related document(s) <u>34</u> Partial Judgment). Service Date 01/04/2008. (Admin.) (Entered: 01/04/2008)</p>
01/08/2008	<p>● <u>37</u> Stipulation, To Stay Enforcement of Partial Summary Judgment On Plaintiffs' Fourth Cause of Action Pending Appeal Filed by Defendant Hugo Nery Bonilla. (Macdonald, Iain) (Entered: 01/08/2008)</p>
01/08/2008	<p>● <u>38</u> Order approving stipulation to stay enforcement of partial summary judgment on plaintiff's fourth cause of action pending appeal (RE: related document(s) <u>37</u> Stipulation for Miscellaneous Relief filed by Defendant Hugo Nery Bonilla). (ac,) (Entered: 01/08/2008)</p>
01/08/2008	<p>● <u>39</u> Notice of Change of Address of <i>Macdonald & Associates</i> Filed by Defendant Hugo Nery Bonilla. (Cutler, Heather) (Entered: 01/08/2008)</p>

01/09/2008	<u>40</u>	Notice of Appeal to 9th Circuit Court (Direct Appeal) , Fee Amount \$ 255. (RE: related document(s) <u>34</u> Partial Judgment, <u>33</u> Order on Motion to Reconsider). Appellant Designation due by 1/22/2008. Filed by Defendant Hugo Nery Bonilla (Cutler, Heather) (Entered: 01/09/2008)
01/09/2008		Receipt of filing fee for Notice of Appeal(07-03079) [appeal,ntcapl] (255.00). Receipt number 4994720, amount \$ 255.00 (U.S. Treasury) (Entered: 01/09/2008)
01/11/2008	<u>41</u>	Notice of Referral of Appeal to Bankruptcy Appellant Panel (RE: related document(s) <u>40</u> Notice of Appeal filed by Defendant Hugo Nery Bonilla). (ac,) (Entered: 01/11/2008)
01/11/2008	<u>42</u>	Courts Certificate of Mailing. Number of notices mailed: 3 (RE: related document(s) <u>41</u> Notice of Referral of Appeal to BAP). (ac,) (Entered: 01/11/2008)
01/11/2008	<u>43</u>	Transmission of Notice of Appeal to BAP (RE: related document(s) <u>40</u> Notice of Appeal filed by Defendant Hugo Nery Bonilla). (ac,) (Entered: 01/11/2008)